

# **UNITED STATES DEPARTMENT OF THE INTERIOR**

## **FALL 2021 REGULATORY PLAN**

### **Introduction**

The U.S. Department of the Interior (Department) is the principal steward of our Nation's public lands and resources, including many of our cultural treasures. The Department serves as trustee to Native Americans, Alaska Natives, and Federally-Recognized Tribes and is responsible for our ongoing relationships with the island territories under U.S. jurisdiction and the freely associated states. Among the Department's many responsibilities is managing more than 500 million surface acres of Federal land, which constitutes approximately 20 percent of the Nation's land area, as well as approximately 700 million subsurface acres of Federal mineral estate, and more than 2.5 billion acres of submerged lands on the Outer Continental Shelf (OCS).

In addition, the Department protects and recovers endangered species; protects natural, historic, and cultural resources; provides scientific and other information about those resources; and manages water projects that are an essential lifeline and economic engine for many communities.

Hundreds of millions of people visit Department-managed lands each year to take advantage of a wide range of recreational pursuits—including camping, hiking, hunting, fishing, and various other forms of outdoor recreation—and to learn about our Nation's history. Each of these activities supports local communities and their economies. The Department also provides access to Federal lands and offshore areas for the development of energy, minerals, and other natural resources that generate billions of dollars in revenue.

In short, the Department of the Interior plays a central role in how the United States stewards its public lands, ensures environmental protections, pursues environmental justice, honors the nation-to-nation relationship with tribes and the special relationships with other indigenous people and the insular areas.

### **Regulatory and Deregulatory Priorities**

To help advance the Secretary of the Interior's (Secretary) commitment to honoring the Nation's trust responsibilities and to conserve and manage the Nation's natural resources and cultural heritage, the Department's regulatory and deregulatory priorities in the coming fiscal year (FY) will focus on:

- Tackling the Climate Crisis, Strengthening Climate Resiliency, and Facilitating the Transition to Renewable Energy;
- Upholding Trust Responsibilities to Federally-Recognized American Indian and Alaska Native Tribes Restoring Tribal Lands, and Protecting Natural and Cultural Resources Advancing Equity and Supporting Underserved Communities;
- Investing in Healthy Lands, Waters and Local Economies and Strengthening Conservation, and Protecting Endangered Species and their Habitat

***Tackling the Climate Crisis, Strengthening Climate Resiliency, and Facilitating the Transition to Renewable Energy***

In one of his first official actions after taking the oath of office on January 20, 2021, President Biden signed Executive Order (EO) 13990, entitled "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis." This Executive order established the Biden-Harris administration's policy to "improve public health and protect our environment, to ensure access to clean air and water, to reduce greenhouse gas emissions and to bolster resilience of the impacts of climate change." An accompanying document, entitled "Fact Sheet: List of Agency Actions for Review," directed several Federal agencies, including the Department, to review various regulations in accordance with EO 13990, and that review will continue for FY 2022.

To help implement the commitment to tackling the climate crisis, Secretary Haaland signed her first Secretary's Order (SO), SO 3398, entitled "Revocation of Secretary's Orders Inconsistent with Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis." SO 3398 implements the review of Departmental actions mandated by Executive Order 13990.

Foundational to this process is the commitment to science and transparency and a pledge "to conserve

and restore our land, water, and wildlife; to reduce greenhouse gas emissions; to create jobs through a growing clean energy economy; and to bolster resilience to the impacts of climate change.” SO 3398 revoked 12 SOs that were issued between March 29, 2017, and December 22, 2020, and directed the Department to conduct reviews and take appropriate actions on certain regulations. The SO further directed Bureaus and Offices to review all policies and guidance documents that may warrant further action to be consistent with Executive Order 13990.

Recognizing the ongoing threat that climate change poses to our Nation and to the world, on January 27, 2021, President Biden also issued Executive Order 14008 entitled, “Tackling the Climate Crisis at Home and Abroad.” Executive Order 14008 directed Federal agencies to take a government-wide approach to the climate crisis and established a National Climate Task Force to facilitate the organization and deployment of such an approach.

To implement the directives in Executive Order 14008, on April 16, 2021, Secretary Haaland issued SO 3399, which directs a “Department-Wide Approach to the Climate Crisis and Restoring Transparency and Integrity to the Decision-Making Process.” SO 3399 established a Departmental Climate Task Force charged with developing a strategy to reduce climate pollution; improving and increasing adaptation and resilience to the impacts of climate change; addressing current and historic environmental injustice; protecting public health; and conserving Department-managed lands.

In accordance with Executive Orders 13990 and 14008, a number of bureaus in the Department are pursuing regulatory actions to implement these administration priorities. The Bureau of Land Management (BLM), for example, is proposing rules to ensure the responsible development of oil and gas on public lands, including “Waste Prevention, Production Subject to Royalties, and Resource Conservation 43 CFR parts 3160 and 3170” (1004-AE79), known as the Waste Prevention Rule, and “Revision of Existing Regulations Pertaining to Fossil Fuel Leases and Leasing Process 43 CFR parts 3100 and 3400” (1004-AE80), known as the Fossil Fuel Rule. The Waste Prevention Rule would reduce methane emissions in the oil and gas sector and mitigate impacts of climate change. The Fossil Fuel Rule would update BLM’s process for leasing to ensure the protection and proper stewardship of the public lands, including potential climate and other impacts associated with fossil fuel activities. Also, to

comply with Executive Order 14008, BLM plans to complete a comprehensive review and reconsideration of Federal fossil fuel leasing practices considering BLM's broad stewardship responsibilities over the public lands, including potential climate and other impacts associated with fossil fuel activities on public lands.

Similarly, the Bureau of Ocean Energy Management (BOEM) is also undertaking a comprehensive review and reconsideration of offshore Federal oil and gas permitting and leasing practices, including potential climate and other impacts associated with offshore oil and gas activities. The BOEM will evaluate the sources and impacts of climate change on the OCS, working in consultation with the Secretary of Agriculture, the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, and the Secretary of Energy. Given the Secretary's Outer Continental Shelf Lands Act (OCSLA) mandate to conserve the natural resources on the OCS, this initiative will evaluate the causes and effects of climate change and determine what appropriate measures BOEM should take to further control emissions of greenhouse gasses, including whether to adjust royalties associated with coal, oil, and gas resources extracted from public lands and offshore waters, develop regulations, or to take other action to account for corresponding climate costs.

One of the explicit directions in Executive Order 14008 provides that the Secretary, in consultation with the heads of other relevant agencies, will review siting and permitting processes on public lands and in offshore waters to identify steps that can be taken, consistent with applicable law, to increase renewable energy production. The Department is committed to fully facilitating the development of renewable energy on public lands and waters, as well as supporting tribal and territorial efforts to develop renewable energy, including deploying 30 gigawatts (GW) of offshore wind by 2030 and 25GW of onshore renewable energy by 2025. This mandate is to be undertaken while also ensuring appropriate protection of public lands, waters, and biodiversity and creating good jobs.

As part of these efforts in FY 2022, BOEM will propose a rule entitled, "Renewable Energy Modernization Rule" (1010-AE04), that will substantially update the existing renewable energy regulations to facilitate responsible development of renewable energy resources more rapidly on the OCS and promote U.S. energy independence. This rule would also significantly reduce costs to

developers for expanding renewable energy development in an environmentally sound manner. Similarly, BLM plans to update its regulations for onshore rights-of-way, leasing, and operations related to all activities associated with renewable energy and transmission lines (1004-AE78). This proposed rule would improve permitting activities and processes to facilitate increased renewable energy production on public lands.

***Upholding Trust Responsibilities to Federally-Recognized American Indian and Alaska Native Tribes Restoring Tribal Lands, and Protecting Natural and Cultural Resources***

Among the Department's most important responsibilities is its commitment to honor the nation-to-nation relationship between the Federal Government and Tribes. Secretary Haaland is strongly committed to strengthening how the Department carries out its trust responsibilities and to increasing economic development opportunities for Tribes and other historically underserved communities.

As part of these efforts, on April 27, 2021, Secretary Haaland signed SO 3400 entitled, "Delegation of Authority for Non-Gaming Off-Reservation Fee-to-Trust Acquisitions." SO 3400 is intended to ensure that off-reservation fee-to-trust applications are effectively and efficiently processed. As Secretary Haaland noted upon signing the SO, "At Interior, we have an obligation to work with Tribes to protect their lands and ensure that each Tribe has a homeland where its citizens can live together and lead safe and fulfilling lives ... Our actions today will help us meet that obligation and will help empower Tribes to determine how their lands are used – from conservation to economic development projects."

To advance the Department's trust responsibilities, the Bureau of Indian Affairs (BIA) is currently identifying opportunities to promote Tribal economic growth and development. For example, BIA is working to remove barriers to the development of renewable energy and other resources in Indian country. During FY 2021, BIA finalized a rule that removed several required items from Tribal Energy Resource Agreement (TERA) applications and offered a new economic development option for Tribal Energy Development Organizations (TEDOs) (1076-AF65) (86 FR 40147, July 27, 2021).

In consultation with Tribes, BIA has been engaged in efforts to update and improve its regulations

governing how it manages land held in trust or in restricted status for Tribes and individual Indians. This year, BIA published a final rule that modernizes the way the BIA Land Title and Records Office (LTRO) maintains title to Indian trust land and streamlines the process for probating estates that contain trust property to reduce delays (1076–AF56) (86 FR 45631, August 16, 2021). The bureau has also launched a broader review to determine whether any regulatory reforms are needed to facilitate restoration of Tribal lands and safeguard natural and cultural resources. The BIA has preliminarily identified as a candidate for revision the regulations governing leases of Indian land for agricultural purposes, which are found at 25 CFR part 162 (1076-AF66).

The BIA is also committed to improving regulations meant to protect sacred and cultural resources. The BIA is working with the National Park Service (NPS) to consult with Tribes on updates to regulations implementing the Native American Graves and Repatriation Act (NAGPRA), 43 CFR 10 (1024-AE19). These regulations would provide a systematic process for the disposition and repatriation of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony. The updates are intended to simplify and improve the regulatory process for repatriation, rectify provisions in the current regulations that inhibit and effectively prevent respectful repatriation, and remove the burden on Indian Tribes and Native Hawaiian organizations to initiate the process and add a requirement for museums and Federal agencies to complete the process.

### ***Advancing Equity and Supporting Underserved Communities***

The Biden-Harris administration and Secretary Haaland recognize and support the goals of advancing equity and addressing the needs of underserved communities. In January 2021, the President signed Executive Order 13985 entitled, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.” This Executive order directs all Federal agencies to pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. In FY 2022, the Department will undertake a number of regulatory actions that will assist people who reside in underserved communities.

The BLM (1004-AE60), FWS (1018-BD78), and NPS (1024-AE75), are proposing right-of-way (ROW) rules that would improve efficiencies in the communications programs, including plans and agreements for electric transmission, distribution facilities and broadband facilities. These rules are intended to increase services, such as broadband connectivity, with resulting benefits to underserved communities and visitors to Departmental lands and promote good governance.

***Investing in Healthy Lands, Waters and Local Economies and Strengthening Conservation, and Protecting Endangered Species and their Habitat***

The Department's FY 2022 regulatory agenda will continue to advance the goals of investing in healthy lands, waters, and local economies across the country. These regulatory efforts, which are consistent with the Biden-Harris administration's "America the Beautiful" Initiative, include expanding opportunities for outdoor recreation, including hunting and fishing, for all Americans; enhancing conservation stewardship; and improving the management of species and their habitat.

For example, the U.S. Fish and Wildlife Service (FWS) opened, for the first time, seven national wildlife refuges (NWRs), totaling 2.1 million acres of public lands, that were previously closed to hunting and sport fishing. Hunters and anglers are among the most ardent conservationists. The FWS opened or expanded hunting and sport fishing at 81 other NWRs and added pertinent station-specific regulations for other NWRs that pertain to migratory game bird hunting, upland game hunting, big game hunting, and sport fishing for the 2021–2022 season. The FWS also opened hunting or sport fishing on one unit of the National Fish Hatchery System (NFH), adding pertinent station-specific regulations for migratory game bird hunting, upland game hunting, big game hunting, and sport fishing at this NFH for the 2021–2022 season. Finally, FWS made regulatory changes to existing station-specific regulations to reduce the regulatory burden on the public, increase access for hunters and anglers on FWS lands and waters, and comply with a Presidential mandate for plain language standards. By responsibly expanding these opportunities, the Department is enhancing the lives of millions of Americans, promoting conservation stewardship, and stimulating the national economy (86 FR 48822, August 31, 2021).

The NPS is also pursuing several regulatory actions under the Department's direction and in accordance with these goals. These regulatory actions would authorize recreational activities, such as off-road vehicle use, snowmobiling, the use of motorized and non-motorized vessels, personal watercraft, and bicycling, within appropriate, designated areas of certain National Park System units. These regulations would benefit local economies as well as promote healthy lands and waters.

The Biden-Harris administration and Secretary Haaland are strongly committed to strengthening conservation and improving conservation partnerships. Through this regulatory plan, the Department affirms the importance of the Endangered Species Act (ESA) in providing a broad and flexible framework to facilitate conservation with a variety of stakeholders. The Department, through FWS, is committed to working with diverse Federal, Tribal, state, and industry partners to not only protect and recover America's imperiled wildlife but to ensure the ESA is helping meet 21<sup>st</sup> century challenges.

In FY 2022, FWS will continue its reviews of several ESA rules that were finalized prior to January 20, 2021, to continue improving the implementation of the ESA so that it is clearly and consistently applied, helps recover listed species, and provides the maximum degree of certainty possible to all parties. For example, FWS and the National Marine Fisheries Service (NMFS) are reviewing the final rule that became effective on January 15, 2021, entitled, "Regulations for Listing Endangered and Threatened Species and Designating Critical Habitat," that established a regulatory definition of "habitat." FWS is also reviewing the final rule entitled, "Endangered and Threatened Wildlife and Plants; Regulations for Designating Critical Habitat," that became effective on January 19, 2021. That rule set forth a process for excluding areas of critical habitat under section 4(b)(2) of the ESA, which mandates our consideration of the impacts of designating critical habitat and permits exclusions of particular areas following a discretionary exclusion analysis. Finally, FWS and NMFS are reviewing the final rule entitled, "Endangered and Threatened Wildlife and Plants; Regulations for Interagency Cooperation" to determine whether and how the rule should be revised or rescinded.

### **Bureaus and Offices within the Department of the Interior**

The following is an overview of some of the major regulatory and deregulatory priorities of the



Department's Bureaus and Offices.

### ***Bureau of Indian Affairs***

The BIA enhances the quality of life, promotes economic opportunity, and protects and improves the trust assets of approximately 1.9 million American Indians, Indian Tribes, and Alaska Natives. The BIA maintains a government- to-government relationship with the 574 Federally-Recognized Indian Tribes. The BIA also administers and manages 55 million acres of surface land and 57 million acres of subsurface minerals held in trust by the United States for American Indians and Indian Tribes.

### ***Regulatory and Deregulatory Actions***

In FY 2021, BIA finalized a rule that removed several required items from TERA applications and offers a new economic development option for TEDOs (86 FR 40147, July 27, 2021).

The BIA also published a final rule that modernizes the manner in which the BIA LTRO maintains title to Indian trust land and streamlines the process for adjudicating probates of estates containing trust property to reduce delays (86 FR 45631, August 16, 2021).

The BIA intends to prioritize the following rulemakings in FY 2022:

#### ***Tribal Transportation Program: Allowable Lengths of Access Roads (1076-AF48)***

This rule would change the allowable length of access roads in the National Tribal Transportation Facilities Inventory, as determined by 25 CFR 170.447, to increase the 15-mile limits on the length of access roads and create parity among all Tribes, regardless of land base or remoteness of location.

#### ***Trust Fund Accounts for Tribes and Individual Indians--Supervised Accounts (1076-AF57)***

This rule would update the qualifications required for Indian Affairs personnel who conduct reviews of

supervised individual Indian Money (IIM) accounts to ensure that personnel have appropriate accounting skills and make other changes to reflect the transition of duties from social services providers to IIM account specialists in the newly established Bureau of Trust Funds Administration (BTFA).

#### *Leasing of Osage Reservation Lands for Oil and Gas Mining (1076-AF59)*

The regulations in 25 CFR part 226 would be revised because they are outdated; do not reflect current oil and gas operations within the Osage Mineral Estate or the industry at large; and are inconsistent with Departmental regulations governing oil and gas exploration and development throughout the rest of Indian country. The last substantive revision to the regulations in 25 CFR part 226 occurred in 1974, with many provisions remaining unchanged since well before then.

#### *105(l) Leases Under the Indian Self-Determination and Education Assistance Act (ISDEAA) (1076-AF60)*

The current regulations governing 105(l) leases at 25 CFR 900, subpart H, allow Tribes to be compensated for a broad range of expenses ranging from rent to depreciation and "other reasonable expenses." The revisions would establish sideboards on what costs the Department will pay Tribes for 105(l) leases including, for examples, more specific direction on the timing and scope of future 105(l) leases.

#### *Self-Governance PROGRESS Act Regulations (1076-AF62)*

This rule would implement the requirements of the PROGRESS Act requiring updates to BIA's regulations governing Tribal Self-Governance. The PROGRESS Act amends subchapter I of the Indian Self-Determination and Education Assistance Act (ISDEAA), 25 U.S.C. 5301 et seq., which addresses Indian Self-Determination, and subchapter IV of the ISDEAA which addresses the Department's Tribal Self-Governance Program. The PROGRESS Act calls for a negotiated rulemaking committee to be established under 5 U.S.C. 565, with membership consisting only of representatives of Federal and

Tribal governments, with the Office of Self-Governance serving as the lead agency for the Department. The PROGRESS Act also authorizes the Secretary to adapt negotiated rulemaking procedures to the unique context of self-governance and the government-to-government relationship between the United States and Indian Tribes.

*Indian Business Incubators Program (1076-AF63)*

This rule would establish the structure for the Office of Indian Energy and Economic Development (IEED) to implement the Native American Business Incubators Program, which was established by statute in October 2020. The rule will establish how IEED will provide competitive grants to eligible applicants to establish and operate business incubators that serve Tribal reservation communities. The business incubators will provide tailored business incubation services to Native businesses and Native entrepreneurs to overcome the unique obstacles they confront in offering products and services to reservation communities.

*Agricultural Leasing of Indian Land (1076-AF66)*

This rule would update provisions addressing leasing of trust or restricted land (Indian land) for agricultural purposes to reflect updates that have been made to business and residential leasing provisions and address outdated provisions.

*Federal Recognition of Tribes Under Alaska IRA (1076-AF51)*

This rule will establish criteria and procedures for groups seeking recognition as Tribes under the Alaska Indian Reorganization Act (Alaska IRA), which is separate and distinct from the Indian Reorganization Act of 1934, which has its own set of regulations for seeking recognition as Tribes. The Alaska IRA provides that groups of Indians in Alaska having a common bond of occupation, or association, or residence within a well-defined neighborhood, community, or rural district may organize to adopt constitutions and bylaws and receive charters of incorporation and Federal loans. This rule will also establish what documents are required to apply. To date, there has been no regulatory process or

criteria established for seeking recognition under the Alaska IRA.

#### *Elections of Osage Minerals Council (1076-AF58)*

Current BIA regulations address how BIA conducts elections of offices of the Osage Tribe, including provisions addressing nominating conventions and petitions, election notices, opening and closing of polls, ballots, and contesting elections. This rule will remove outdated and unnecessary provisions. . Statutory changes and the Osage Nation Constitution have significantly pared down the role of BIA in the Tribe's elections. The only remaining portion that will be included in this rule states that BIA will provide, at the Osage Nation's request, a list of voters and their headright interests to the Osage Minerals Council Election Board.

#### ***Bureau of Indian Education***

The Bureau of Indian Education (BIE) mission is to provide students at BIE-funded schools with a culturally relevant, high-quality education that prepares students with the knowledge, skills, and behaviors needed to flourish in the opportunities of tomorrow, become healthy and successful individuals, and lead their communities and sovereign nations to a thriving future that preserves their unique cultural identities. The BIE is the preeminent provider of culturally relevant educational services and supports provided by highly effective educators to students at BIE-funded schools to foster lifelong learning.

#### *Regulatory and Deregulatory Actions*

As BIE continues its work to fulfill its mission while keeping students and school staff safe and healthy, BIE finalized a new regulation in FY 2021 that will allow individual BIE-operated schools to retain the funding received through leasing their lands and facilities to third-parties, and direct that funding back into the school (86 FR 34943, July 1, 2021). The new regulation will also allow individual BIE-operated schools to retain fundraising proceeds and use those proceeds for the benefit of the school.

### *Appeals from Administrative Actions (1076-AF64)*

This rule would clarify the processes for appeals of actions taken by officials in the Office of the Assistant Secretary Indian Affairs, BIA, BIE, and BTFA (collectively, Indian Affairs).

### ***Bureau of Land Management***

The BLM manages more than 245 million acres of public land, known as the National System of Public Lands, primarily located in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the Nation. The agency's mission is to sustain the health, diversity, and productivity of America's public lands for the use and enjoyment of present and future generations.

### *Regulatory and Deregulatory Actions*

The BLM has identified the following priority rulemaking actions for FY 2022:

#### *Livestock Grazing (1004-AE82)*

This proposed rule would revise BLM's grazing regulations to improve resource management and increase efficiency by streamlining and clarifying grazing processes and improving coordination among Federal, State, and local government entities. The proposed rule would revise the regulations at 43 CFR parts 4100, 1600, and 1500. These revisions and additions would help to provide the public and land managers with accurate and reliable information regarding grazing administration on public lands.

#### *Update of the Communications Uses Program, Right-of-Way Cost Recovery Fee Schedules, and Section 512 of FLPMA for Rights-of-Way (1004-AE60)*

The BLM is proposing amendments to its existing ROW regulations to streamline and improve efficiencies in the communications uses program, update the cost recovery fee schedules for ROW

work activities, and include provisions governing the development and approval of operating plans and agreements for ROWs for electric transmission and distribution facilities. Communications uses, such as broadband, are a subset of ROW activities authorized under the Federal Land Policy and Management Act of 1976 (FLPMA), as amended. Cost recovery fees apply to most ROW activities authorized under either FLPMA or the Mineral Leasing Act of 1920, as amended. This proposed rule would also implement vegetation management requirements included in the Consolidated Appropriations Act, 2018 (codified at 43 USC 1772) to address fire risk from and to power-line ROWs on public lands and national forests. The regulatory amendments would also codify legislated agency requirements regarding review and approval of utilities maintenance plans, liability limitations, and definitions of hazard trees and emergency conditions.

#### *Bonding (1004-AE68)*

This proposed rule would update the bonding procedures for ROWs on BLM-managed public land. The proposed rule would revise the bonding portion of the BLM's ROW regulations to make them clearer and easier to understand, which would facilitate efficient bond calculations.

#### *Rights-of-way, Leasing and Operations For Renewable Energy and Transmission Lines 43 CFR Parts 2800, 2880, 3200 (1004-AE78)*

This proposed rule would revise BLM's regulations for ROWs, leasing, and operations related to all activities associated with renewable energy and transmission lines. The Energy Act of 2020 and EO 14008 prioritize the Department's need to improve permitting activities and processes to facilitate increased renewable energy production on public lands.

#### *Waste Prevention, Production Subject to Royalties, and Resource Conservation 43 CFR Parts 3160 and 3170 (1004-AE79)*

This proposed rule would update BLM's regulations governing the waste of natural gas through venting, flaring, and leaks on onshore Federal and Indian oil and gas leases. The proposed rule would address

the priorities associated with Executive Order 14008. In addition, in accordance with Executive Order 13990, this proposed rule would reduce methane emissions in the oil and gas sector and mitigate impacts of climate change.

*Revision of Existing Regulations Pertaining to Fossil Fuel Leases and Leasing Process 43 CFR Parts 3100 and 3400 (1004-AE80)*

This proposed rule would revise BLM's fossil fuel regulations to update the fees, rents, royalties, and bonding requirements related to oil and gas leasing, development, and production. The proposed rule would also update BLM's process for leasing to ensure the protection and proper stewardship of the public lands, including potential climate and other impacts associated with fossil fuel activities.

*Revision of Existing Regulations Retaining to Leasing and Operations of Geothermal 43 CFR Part 3200 (1004-AE84)*

This proposed rule would update and codify BLM's Geothermal Resource Orders into regulation, including common geothermal standard practices, and inspection requirements and procedures.

*Protection, Management, and Control of Wild Horses and Burros 43 CFR Part 4700 (1004-AE83)*

This proposed rule would address wild horse and burro management challenges by adding regulatory tools that better reflect BLM's current statutory authorities. For example, the existing regulations do not address certain management authorities that Congress has provided since 1986 to control wild horse and burro populations, such as the BLM's authority to sell excess wild horses and burros. Updating the regulations would also facilitate management strategies and priorities that were not utilized when the regulations were originally promulgated, such as the application of fertility control vaccines, managing for nonreproducing herds, and feeding and caring for unsold and unadopted animals at off-range corrals and pastures. The proposed rule would also clarify ambiguities and management limitations in the existing regulations.

## ***Bureau of Ocean Energy Management***

The mission of BOEM is to manage development of U.S. OCS energy and mineral resources in an environmentally and economically responsible way. The BOEM is responsible for stewardship of U.S. OCS energy and mineral resources, as well as protecting the environment that the development of those resources may impact. The resources we manage belong to the American people and future generations of Americans; wise use of and fair return for these resources are foremost in our management efforts.

In accordance with its statutory mandate under OCSLA, BOEM is committed to implementing its dual mission of promoting the expeditious and orderly development of the Nation's energy resources while simultaneously protecting the marine, human, and coastal environment of the OCS State submerged lands and the coastal communities. Consistent with the policy outlined by the administration in EO 14008, BOEM is reevaluating all of its programs related to the offshore development of energy and mineral resources offshore. The BOEM is working with the Department as a whole to review options for expanding renewable energy production while evaluating alternatives to better protect the lands, waters, and biodiversity of species located within the U.S. exclusive economic zone.

### ***Regulatory and Deregulatory Actions***

In FY 2022, the BOEM plans to prioritize the following rulemaking actions:

#### ***Renewable Energy Modernization Rule (1010-AE04)***

The BOEM's most important regulatory initiative is focused on expanding offshore wind energy's role in strengthening U.S. energy security and independence, create jobs, provide benefits to local communities, and further develop the U.S. economy. The BOEM's renewable energy program has matured over the past 10 years, a time in which BOEM has conducted numerous auctions and issued and managed multiple commercial leases. Based on this experience, BOEM has identified multiple opportunities to update its regulations to better facilitate the development of renewable energy



resources and to promote U.S. energy independence.

The BOEM is proposing a rule that would update the existing renewable energy regulations to help facilitate the timely and responsible development of renewable energy resources on the OCS and promote U.S. energy independence. This proposed rule contains reforms identified by BOEM and recommended by industry, including proposals for incremental funding of decommissioning accounts; more flexible geophysical and geotechnical survey submission requirements; streamlined approval of meteorological buoys; revised project verification procedures; and greater clarity regarding safety requirements. This rule advances the administration's energy policies in a safe and environmentally sound manner that provides a fair return to the American taxpayer while, at the same time, significantly reducing industry development.

#### *Air Quality Rule (1010-AE09)*

In accordance with the administration's renewed commitment to ensure the robust protection for the lands, waters, and biodiversity of the United States, BOEM is reevaluating the entirety of its air quality regulatory program and will propose further enhancements. The BOEM and the Department are proposing a new offshore air quality rule to tighten pollution standards for offshore operations and require improved pollution control technology. The proposed rule would amend regulations for air quality measurement, evaluation, and control for offshore oil and gas operations. The goal of this new proposed rule would be to improve the ambient air quality of the coastal States and their corresponding State submerged lands by addressing a number of issues that were not addressed by BOEM's prior final air quality rule. The BOEM expects to revisit a number of the topics that were originally reviewed in 2016.

#### ***Bureau of Safety and Environmental Enforcement***

The Bureau of Safety and Environmental Enforcement's (BSEE) mission is to promote safety, protect the environment, and conserve resources offshore through vigorous regulatory oversight and enforcement. The BSEE is the lead Federal agency charged with improving safety and ensuring

environmental protection related to conventional and renewable energy activities on the U.S. OCS.

### *Regulatory and Deregulatory Actions*

The BSEE has identified the following rulemaking priorities for FY 2022:

#### *Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line*

##### *Proposed Rule (1014-AA44)*

The Oil Spill Response Requirements regulations in 30 CFR part 254 were last updated over 20 years ago (62 FR 13996, Mar. 25, 1997). This proposed rule would update the existing regulations in order to incorporate the latest advancements in spill response and preparedness policies and technologies, as well as lessons learned and recommendations from reports related to the Deepwater Horizon explosion and subsequent oil spill.

#### *Revisions to Subpart J--Pipelines and Pipeline Rights-of-Way Proposed Rule (1014- AA45)*

This proposed rule would revise specific provisions of the current Pipelines and Pipeline ROW regulations under 30 CFR 250 subpart J in order to bring those regulations up to date with current technology and state-of-the-art safety equipment and procedures, primarily through the incorporation of industry standards.

#### *Outer Continental Shelf Lands Act; Operating in High-Pressure and/or High-Temperature (HPHT)*

##### *Environments (1014-AA49)*

Currently, BSEE has no regulations specific to high pressure and/or high temperature (HPHT) projects, requiring BSEE to issue multiple guidance documents clarifying the specific HPHT information prospective operators should submit to BSEE to support the Bureau's programmatic reviews and approvals of such projects. This proposed rule would formally codify BSEE's existing process for reviewing and approving projects in HPHT environments.

*Oil and Gas and Sulfur Operations in the Outer Continental Shelf-Blowout Preventer Systems and Well Control Revisions (1014-AA52)*

The BSEE is revising existing regulations for well control and blowout preventer systems.

*Bureau of Ocean Energy Management, and Bureau of Safety and Environmental Enforcement Renewable Energy Split Final Rule (1082-AA03)*

The BOEM currently has authority over all renewable energy activities on the OCS under regulations at 30 CFR part 585. The BOEM and BSEE are in the process of amending the Department's Manual chapters to transfer the safety, environmental enforcement, and compliance functions relevant to renewable energy activities from BOEM to BSEE. Consistent with that effort, BSEE and BOEM would amend their respective regulations to reflect the split of functions between the two Bureaus.

***Office of the Chief Information Officer***

The Office of the Chief Information Officer (OCIO) provides leadership to the Department and its Bureaus in all areas of information management and technology. To successfully serve the Department's multiple missions, the OCIO applies modern Information Technology tools, approaches, systems, and products. Effective and innovative use of technology and information resources enables transparency and accessibility of information and services to the public.

For FY 2022, OCIO is working on these priority rules:

*Network Security System of Records (1090-AB14)*

This rule would revise the Department's Privacy Act regulations at 43 CFR 2.254 to claim Privacy Act exemptions for certain records in the DOI-49, Network Security, system of records from one or more provisions of the Privacy Act pursuant to 5 U.S.C 552a(j) and (k), because of criminal, civil, and administrative law enforcement requirements.

*Insider Threat Program System of Records (1090-AB15)*

This rule would revise the Department's Privacy Act regulations at 43 CFR 2.254 to claim Privacy Act exemptions for certain records in the DOI-50, Insider Threat Program, system of records from one or more provisions of the Privacy Act pursuant to 5 U.S.C. 552a(j) and (k), because of criminal, civil, and administrative law enforcement requirements.

*Personnel Security Files System of Records (1090-AB16)*

This rule would revise the Department's Privacy Act regulations at 43 CFR 2.254 to claim Privacy Act exemptions for certain records in the DOI-45, Personnel Security Files, system of records from one or more provisions of the Privacy Act pursuant to 5 U.S.C. 552a(k), because of criminal, civil, and administrative law enforcement requirements.

*Social Security Number Fraud Prevention Act of 2017 Implementation (1090-AB24)*

This direct final rule will amend 43 CFR part 2 to add subpart M to implement the Social Security Number Fraud Prevention Act of 2017, which directs Federal agencies to issue regulations that prohibit the inclusion of an individual's Social Security number (SSN) on any document sent through the mail unless the Secretary deems it necessary. The regulations also include requirements for protecting documents with SSNs sent through postal mail.

***Office of Environmental Policy and Compliance***

The Office of Environmental Policy and Compliance (OEPC) serves as a leader in conservation stewardship and the sustainable development and use of Department-managed resources for the benefit of the public. The office fosters partnerships to enhance resource use and protection, as well as to expand public access to safe and clean lands under the Department's jurisdiction. The office also strives to continually streamline environmental policies and procedures to increase management effectiveness and efficiency, reduce duplicative practices, and realize cost savings.

For FY 2022, OEPC will publish in the Federal Register:

*Implementation of the National Environmental Policy Act (NEPA) of 1969 (1090-AB18)*

This rule would develop regulations to streamline OEPC's NEPA process and comply with EO 13990 and SO 3399.

***Office of Grants Management***

The Office of Grants Management is responsible for providing executive leadership, oversight, and policy for the financial assistance across the Department.

*Financial Assistance Interior Regulation (1090-AB23)*

This rule will align the Department's regulations with new regulatory citations and requirements adopted by the Office of Management and Budget (OMB). On August 13, 2020, OMB published a revision to sections of Title 2 of the Code of Federal Regulations, Guidance for Grants and Agreements. The revision was an administrative simplification and did not make any substantive changes to 2 CFR part 200 policies and procedures. This rule will codify these changes in the Department's financial assistance regulations located in 2 CFR part 1402. (86 FR 57529, October 18, 2021).

***Office of Hearings and Appeals***

The Office of Hearings and Appeals (OHA) exercises the delegated authority of the Secretary to conduct hearings and decide appeals from decisions of the Bureaus and Offices of the Department. The OHA provides an impartial forum for parties who are affected by the decisions of the Department's Bureaus and Offices to obtain independent review of those decisions. The OHA also handles the probating of Indian trust estates, ensuring that individual Indian interests in allotted lands, their proceeds, and other trust assets are conveyed to the decedents' rightful heirs and beneficiaries.

*Updates to American Indian Probate Regulations (1094-AA55)*

This final rule will make regulatory changes relating to efficiency and streamlining of probate processes, ensuring that the Department meets its trust obligations, and helping achieve the American Indian

Probate Reform Act/statutory goal of reducing fractionalization of trust property interests.

*Practices Before the Department of Interior (1094-AA56)*

This direct final rule will amend existing regulations to keep up to date office addresses for hearings and appeals purposes, to allow for the OHA Director to issue interim orders in emergency circumstances, and to allow for the OHA Director to issue standing orders that will improve OHA's service to the public and the parties by modernizing its processes.

***Office of Natural Resources Revenue***

The Office of Natural Resources Revenue (ONRR) continues to collect, account for, and disburse revenues from Federal offshore energy and mineral leases and from onshore mineral leases on Federal and Indian lands. The ONRR operates nationwide and is primarily responsible for the timely and accurate collection, distribution, and accounting of revenues associated with mineral and energy production.

*ONRR 2020 Valuation Reform and Civil Penalty Rule: Final Withdrawal Rule (1012-AA27)*

The ONRR is withdrawing the ONRR 2020 Valuation Reform and Civil Penalty Rule (86 FR 54045, September 30, 2021).

*Amendments to ONRR's Mail Addresses Listed in Title 30 CFR, Chapter XII (1012-AA28)*

This rule will amend mailing addresses listed in parts of Title 30 CFR, Chapter XII due to ONRR's main building renovation, which changed the organizations mailing addresses.

*Civil Monetary Penalty Rates Inflation Adjustments for Calendar Year 2022 (1012-AA31)*

This rule will adjust the maximum civil monetary penalty rates for inflation and announces the rates applicable to calendar year 2022.

***Office of Small and Disadvantaged Business Utilization***

The Office of Small and Disadvantaged Business Utilization advises the Secretary on small business issues and collaborates with leadership to maximize small business opportunities. The office implements policies, procedures, and training programs for the Department to emphasize its commitment to contracting with small businesses. The mission also includes outreach to small and disadvantaged business communities, including Indian economic enterprises, small disadvantaged, women-owned, veteran-owned, service-disabled veteran owned, small businesses located in historically underutilized business zones areas, and the Ability One Program.

*Department of the Interior Acquisition Regulations, Buy Indian Act Acquisition Regulations (1090-AB21)*

This rule would revise regulations implementing the Buy Indian Act, which provides the Department with authority to set aside procurement contracts for Indian-owned and controlled businesses. These revisions would eliminate barriers to Indian Economic Enterprises from competing on certain construction contracts, expand Indian Economic Enterprises' ability to subcontract construction work consistent with other socio-economic set-aside programs, and give greater preference to Indian Economic Enterprises when a deviation from the Buy Indian Act is necessary, among other updates (86 FR 59338, October 27, 2021).

***Office of Surface Mining Reclamation and Enforcement***

The Office of Surface Mining Reclamation and Enforcement (OSMRE) was created by the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The OSMRE works with States and Tribes to ensure that citizens and the environment are protected during coal mining and that the land is restored to beneficial use when mining is finished. The OSMRE and its partners are also responsible for reclaiming and restoring lands and water degraded by mining operations before 1977. The OSMRE focuses on overseeing the state programs and developing new tools to help the states and tribes get the job done.

The OSMRE also works with colleges and universities and other State and Federal agencies to further the science of reclaiming mined lands and protecting the environment, including initiatives to promote planting more trees and establishing much-needed wildlife habitat.

### *Regulatory and Deregulatory Actions*

The OSMRE does not currently expect to finalize any significant regulatory actions during FY 2022. The OSMRE does anticipate publishing:

#### *Ten Day Notices(1029-AC81)*

This rule would reexamine OSMRE's regulations on the ten-day notices rule that went into effect on December 24, 2020.

#### *Emergency Preparedness for Impoundments (1029-AC82)*

This rule would incorporate certain aspects of the Federal Guidelines for Dam Safety (FGDS) into OSMRE's existing regulations. These regulations relate to emergency preparedness for impoundments and propose to incorporate the FGDS Emergency Action Plans (EAP) and After-Action Reports (AAR). The proposed rule may result in revisions to OSMRE's regulations at 30 CFR 701.5, 780.25, 784.16, 816.49, 817.49, 816.84, and 817.84. Also, OSMRE may add new provisions to the regulations to explain the EAP and AAR requirements and align the classification of impoundments with industry and other Government agency standards.

### ***U.S. Fish and Wildlife Service***

The mission of FWS is to work with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people. The FWS also provides opportunities for Americans to enjoy the outdoors and our shared natural heritage. The FWS also promotes and encourages the pursuit of recreational activities such as hunting and fishing and wildlife observation.

The FWS manages a network of 567 NWRs, with at least one refuge in each U.S. State and territory,



and with more than 100 refuges close to major urban centers. The Refuge System plays an essential role in providing outdoor recreation opportunities to the American public. In 2019, more than 59 million visitors went to refuges to hunt, fish, observe or photograph wildlife, or participate in environmental education or interpretation.

The FWS fulfills its responsibilities through a diverse array of programs that:

- Protect and recover endangered and threatened species;
- Monitor and manage migratory birds;
- Restore nationally significant fisheries;
- Enforce Federal wildlife laws and regulate international trade;
- Conserve and restore wildlife habitat such as wetlands;
- Manage and distribute over a billion dollars each year to States, territories, and Tribes for fish and wildlife conservation;
- Help foreign governments conserve wildlife through international conservation efforts; and
- Fulfill our Federal Tribal trust responsibility.

#### *Regulatory and Deregulatory Actions*

The FWS has identified the following priority rulemaking actions for FY 2022:

#### *Regulations under the Endangered Species Act (ESA):*

The FWS will promulgate multiple regulatory actions under the ESA to prevent the extinction of and facilitate the recovery of both domestic and foreign animal and plant species. Accordingly, FWS will add species to, remove species from, and reclassify species on the Lists of Endangered and Threatened Wildlife and Plants and designate critical habitat for certain listed species, in accordance with the National Listing Workplan. The Workplan enables FWS to prioritize workloads based on the needs of candidate and petitioned species, while providing greater clarity and predictability about the timing of

listing determinations to State wildlife agencies, nonprofit organizations, and other stakeholders and partners. The Workplan represents the conservation priorities of FWS based on its review of scientific information. The goal is to encourage proactive conservation so that Federal protections are not needed in the first place. The FWS also plans to promulgate several species-specific rules to protect threatened species under section 4(d) of the ESA.

The Unified Agenda includes rulemaking actions pertaining to these issues:

*Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the Northern Spotted Owl (1018–BF01)*

This rule revised the designated critical habitat for the northern spotted owl (*Strix occidentalis caurina*) under the ESA. After a review of the best available scientific and commercial information, FWS withdrew the January 15, 2021, final rule that would have excluded approximately 3.4 million acres of designated critical habitat for the northern spotted owl. Instead, FWS revised the species' designated critical habitat by excluding approximately 204,294 acres (82,675 hectares) in Benton, Clackamas, Coos, Curry, Douglas, Jackson, Josephine, Klamath, Lane, Lincoln, Multnomah, Polk, Tillamook, Washington, and Yamhill Counties, Oregon, under section 4(b)(2) of the Act (86 FR 62606, November 10, 2021).

*Endangered and Threatened Wildlife and Plants; Listing Determination and Critical Habitat Designation for the Monarch Butterfly (1018–BE30)*

This rule would list the monarch butterfly under the ESA in FY 2024, if listing is still warranted at that time. FWS would also propose to designate critical habitat for the species, if prudent and determinable.

*Endangered and Threatened Wildlife and Plants; Revision of the Regulations for Listing Endangered and Threatened Species and Designation of Critical Habitat (1018-BE69)*

The FWS and the National Marine Fisheries Service propose to rescind the final rule titled "Regulations for Listing Endangered and Threatened Species and Designating Critical Habitat" that was published on

December 16, 2020, and became effective on January 15, 2021. The proposed rescission, if finalized, would remove the regulatory definition of "habitat" established by that rule.

*Endangered and Threatened Wildlife and Plants; Revision of the Regulations for Designating Critical Habitat (1018-BD84)*

The FWS proposes to rescind the final rule titled "Endangered and Threatened Wildlife and Plants; Regulations for Designating Critical Habitat" that published on December 18, 2020, and became effective January 19, 2021. The proposed rescission, if finalized, would remove the regulations established by that rule.

*Endangered and Threatened Wildlife and Plants; Regulations for Listing Endangered and Threatened Species and Designating Critical Habitat (1018-BF95)*

This joint Departments of Commerce and the Interior (the Departments) rule would review the previous rulemaking action with the title "Endangered and Threatened Wildlife and Plants; Regulations for Listing Species and Designating Critical Habitat," (84 FR 45020; August 27, 2019), in which we revised the regulations for adding and removing species from the Lists of Endangered and Threatened Wildlife and Plants and clarified procedures for designation of critical habitat. The Departments' review will determine whether and how that rule should be revised.

*Endangered and Threatened Wildlife and Plants; Revisiting the Interagency Cooperation Final Rule (1018-BF96)*

This joint rule by the Departments of Commerce and the Interior would review Endangered and Threatened Wildlife and Plants; Regulations for Interagency Cooperation (84 FR 44976; August 27, 2019) to determine whether and how the rule should be revised or rescinded.

*Endangered and Threatened Wildlife and Plants; Compensatory Mitigation Mechanisms Under the Endangered Species Act (1018-BF63):*

This rulemaking action would address section 329 of the National Defense Authorization Act for Fiscal Year 2021, Objectives, Performance Standards, and Criteria for Use of Wildlife Conservation Banking Programs. This law requires FWS to publish an advance notice of proposed rulemaking (ANPRM) by January 1, 2022. The purpose of the ANPRM is to inform FWS's development of regulations related to wildlife conservation banking to ensure opportunities for Department of Defense participation in wildlife conservation banking programs pursuant to section 2694c of title 10, United States Code.

*Regulations Governing Take of Migratory Birds (1018-BD76):*

On January 7, 2021, the FWS published a final rule defining the scope of the Migratory Bird Treaty Act (MBTA) as it applies to conduct resulting in the injury or death of migratory birds protected by the MBTA. We are now revoking that rule. The effect of this rule is a return to implementing the MBTA as prohibiting incidental take and applying enforcement discretion, consistent with judicial precedent.

*Protection of Migratory Birds; Definitions and Authorizations (1018-BF71)*

This rule would amend FWS regulations by providing definitions to terms used in the MBTA. This proposed rule would clarify that the MBTA's prohibitions on taking and killing migratory birds includes foreseeable, direct taking and killing that is incidental to other activities. The rule would also propose to establish authorizations for compliance with MBTA prohibitions.

*Eagle Permits; Incidental Take (1018-BE70)*

This rule would provide potential approaches for further expediting and simplifying the permit process authorizing incidental take of eagles. The new process would improve and make more efficient the permitting process for incidental take of eagles in a manner that is compatible with the preservation of bald and golden eagles.

*Possession of Eagle Specimens for Religious Purposes (1018-BB88)*

This rule would propose extending legal access to bald and golden eagle parts and feathers for religious use to persons other than enrolled members of federally recognized Tribes.

*2021–2022 Station-Specific Hunting and Sport Fishing Regulations (1018-BF09):*

The FWS opens, for the first time, seven National Wildlife Refuges (NWRs) that are currently closed to hunting and sport fishing. In addition, the Service opens or expands hunting and sport fishing at 81 other NWRs and adds pertinent station-specific regulations for other NWRs that pertain to migratory game bird hunting, upland game hunting, big game hunting, and sport fishing for the 2021–2022 season. The Service also opens hunting or sport fishing on one unit of the National Fish Hatchery System (NFH). We add pertinent station-specific regulations that pertain to migratory game bird hunting, upland game hunting, big game hunting, and sport fishing at this NFH for the 2021–2022 season. Finally, we make regulatory changes to existing station-specific regulations in order to reduce the regulatory burden on the public, increase access for hunters and anglers on Service lands and waters, and comply with a Presidential mandate for plain language standards (86 FR 48822, August 31, 2021).

*Revision of Regulations Implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Updates Following the Eighteenth Meeting of the Conference of the Parties (CoP18) to CITES (1018-BF14)*

The FWS is taking direct final action to revise regulations that implement the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES or Treaty) by incorporating certain non-controversial provisions adopted at the sixteenth through eighteenth meetings of the Conference of the Parties (CoP16–CoP18) to CITES and clarifying and updating certain other provisions. These changes will bring U.S. regulations in line with certain revisions adopted at the three most recent meetings of the CoP, which took place in March 2013 (CoP16), September–October 2016 (CoP17), and August 2019 (CoP18). The revised regulations will help FWS more effectively promote species conservation, help us continue to fulfill our responsibilities under the Treaty, and help those

affected by CITES to understand how to conduct lawful international trade.

### ***National Park Service***

The National Park Service (NPS) preserves the natural and cultural resources and values within 423 units of the National Park System encompassing more than 85 million acres of lands and waters for the enjoyment, education, and inspiration of this and future generations. The NPS also cooperates with partners to extend the benefits of resource conservation and outdoor recreation throughout the United States and the world.

### ***Regulatory and Deregulatory Actions***

The following are the NPS's rulemaking priorities during FY 2022 year:

#### ***Native American Graves Protection and Repatriation Act Regulations (1024-AE19)***

This rule would revise the NAGPRA implementing regulations. The rule would eliminate ambiguities, correct inaccuracies, simplify excessively burdensome and complicated requirements, clarify timelines, and remove offensive terminology in the existing regulations that have inhibited the respectful repatriation of most Native American human remains. This rule would simplify and improve the regulatory process for repatriation and thereby advance the goals of racial justice, equity, and inclusion.

#### ***Colonial National Historical Park; Vessels and Commercial Passenger-Carrying Motor Vehicles (1024-AE39)***

This final rule will amend the special regulations for Colonial National Historical Park. This rule will remove a regulation that prevents the Superintendent from designating sites within the park for launching and landing private vessels. The rule will also remove outdated permit and fee requirements for commercial passenger-carrying vehicles.

*Visitor Experience Improvements Authority Contracts (1024-AE47)*

This proposed rule would implement the Visitor Experience Improvements Authority (VEIA) given to NPS by Congress in title VII of the National Park Service Centennial Act. This authority allows the NPS to award and administer commercial services contracts for the operation and expansion of commercial visitor facilities and visitor services programs in units of the National Park System. The VEIA supplements but does not replace the existing authority granted to the NPS in the Concessions Management Improvement Act of 1988 to enter into concession contracts.

*Whiskeytown National Recreation Area; Bicycling (1024-AE52)*

This rule would allow bicycles on approximately 75 miles of trails throughout Whiskeytown National Recreation Area; 17 miles of trail will be newly constructed. Bicycling is an established use at the recreation area that has never been properly authorized under NPS bicycle regulations.

*Pictured Rocks National Lakeshore; Snowmobiles (1024-AE53)*

This final rule will clarify where snowmobiles may be used within the boundaries of the Lakeshore by replacing general language allowing snowmobiles on unplowed roads and the shoulders of plowed roads with a comprehensive list of designated snowmobile routes.

*Gulf Islands National Seashore; Personal Watercraft (1024-AE55)*

This final rule will amend special regulations for Gulf Island National Seashore that govern the use of personal watercraft (PWC) within the National Seashore in Mississippi and Florida. NPS regulations only allow for the operation of PWCs in park areas were authorized by special regulation.

*Commercial Visitor Services; Concession Contracts (1024-AE57)*

This final rule will revise regulations that govern the solicitation, award, and administration of

concessions contracts to provide commercial visitor services at National Park System units under the Concessions Management Improvement Act of 1998. This rule would reduce administrative burdens and expand sustainable, high quality, and contemporary concessioner-provided visitor services in national parks.

*Curation of Federally-Owned and Administered Archeological Collections (1024-AE58)*

This final rule will amend the regulations for the curation of federally-owned and administered archeological collections to establish definitions, standards, and procedures to dispose of particular material remains that are determined to be of insufficient archaeological interest. This rule will promote more efficient and effective curation of these archeological collections.

*Ozark National Scenic Riverways; Motorized Vessels (1024-AE62)*

This rule would amend special regulations for Ozark National Scenic Riverways. The rule would modify regulations governing the use of motorized vessels within the Riverways to help accommodate a variety of desired river conditions and recreational uses, promote high quality visitor experiences, promote visitor safety, and minimize conflicts among different user groups. The rule would implement a management action that represents a compromise between user groups and was the result of a long planning process with robust community engagement.

*Mount Rainier National Park; Fishing (1024-AE66)*

This rule would revise special regulations for Mount Rainier National Park to remove all fishing closures and restrictions from 36 CFR 7.5. Instead, the NPS would manage fishing through administrative orders in the Superintendent's Compendium. This action would help implement a 2018 Fish Management Plan that aims to conserve native fish populations and restore aquatic ecosystems by reducing or eliminating nonnative fish.

***Bureau of Reclamation***



The Bureau of Reclamation's Reclamation mission is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public. To accomplish this mission, Reclamation employs management, engineering, and science to achieve effective and environmentally sensitive solutions.

Reclamation's projects provide: irrigation water service; municipal and industrial water supply; hydroelectric power generation; water quality improvement; groundwater management; fish and wildlife enhancement; outdoor recreation; flood control; navigation; river regulation and control; system optimization; and related uses. In addition, Reclamation continues to provide increased security at its facilities.

#### *Regulatory and Deregulatory Actions*

Reclamation's rulemaking priorities for FY 2022 include the following:

#### *Public Conduct on Bureau of Reclamation Facilities, Lands and Waterbodies (1006-AA58)*

This proposed update to an existing rule would revise existing definitions for the use of aircraft, the possession of firearms, camping, swimming, and winter recreation for the wide range of circumstances found across Reclamation and would clarify the permitting of memorials and correct inconsistencies found within this part.

#### **Departmental**

For FY 2022, the Department intends to publish in the **Federal Register**:

#### *Paleontological Resources Preservation. (1093-AA25)*

This rule addresses the management, collection, and curation of paleontological resources on or from Federal lands administered by the Department using scientific principles and expertise, including

collection in accordance with permits; curation in an approved repository; and maintenance of confidentiality of specific locality data.